

Chronology

DOGM  
MINERALS PROGRAM  
FILE COPY

INTERSTATE BRICK COMPANY (IBC)  
Koosharem Mine (Clay Pit)  
M/031/002  
Piute County, Utah

(last revised December 20, 1990)

- July 17, 1975 Received 7/15/75 letter from U.S. Forest Service (USFS), Richfield, notifying the Division of Oil, Gas and Mining (DOGM) that they were administering the mining activity on national forest land. Attached was a brief operating plan. They requested notice as to what our permitting status was with the operation located on Sections 2, and 11, T27S, R2W, SLBM. Section 2 is State land.
- July 28, 1975 Letter from DOGM to USFS. Company operation plan forwarded by USFS should be adequate for Division permitting. Will arrange to inspect site with USFS in near future.
- September 26, 1975 Memo of 9/23/75 site inspection. Approximately 40 acres of disturbance. Poor erosion or sediment control. Potential hazard to the fishery in Box Creek Reservoir from sediment transport off-site. No topsoil stockpiled (2-3 feet apparently available).
- April 8, 1976 Interstate Brick Company (IBC) called DOGM requesting information on exploratory drilling. Rule book sent along with 20 copies MR-1 and 2, plus MR-3 and 4.
- November 11, 1976 Letter from DOGM to IBC notifying them of DOGM inspection of Henefer Clay Pit operations.
- Reminded company of obligation to file Notices of Intent (NOI) for all operations by July 1, 1977 deadline as mandated by Mined Land Reclamation Act (MLRA) of 1975.
- November 22, 1976 Received copy of 11/18/76 letter from State Lands to IBC which detailed results of an on-site visit to Koosharem Mine and identification of mining encroachment upon the right-of-way granted to USFS by the State in 1971.

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Letter described corrective measures to be performed by IBC to remedy the situation. Reminded Company to file Mining and Reclamation Plan (MRP) with DOGM also.

November 22, 1976

Received 11/19/76 letter from IBC notifying DOGM that they will prepare and submit MRP in December after work slows.

February 1, 1977

MR-1 and 2 forms filed by IBC for the Koosharem Mine with DOGM.

August 31, 1978

Memo to file describing a visit by IBC to DOGM office. IBC plans to cease operations at Koosharem Mine and begin reclamation that fall. Mr. Don Fullmer (lease holder) will assume responsibility of operation upon completion of reclamation work by IBC. Reclamation work to be detailed in a forthcoming amendment to the MRP. Mr. Fullmer requesting pit remain open for potential future development. USFS supposedly agrees with proposal.

DOGM concurred with certain provisions that safety precautions, stabilization and bond must be in effect with DOGM.

October 2, 1978

Inspection memo to file (9/14/78). Site visit with IBC to observe reclamation activities. Reclamation complete except for small area on USFS land with clay stockpiles remaining. USFS has released IBC from any further reclamation on-site. Don Fullmer (lease holder) is to be responsible for any further reclamation requirements. DOGM semi-satisfied with reclamation work, but wants letter from IBC detailing specifics of agreement with Mr. Fullmer and assurity that Mr. Fullmer accepts responsibility for bonding.

October 2, 1978

Memo to file. IBC came into DOGM offices to discuss status of surety for the Long Canyon Mine and Big Cottonwood Mine. Discussed problems with Koosharem Mine and IBC committed to supply needed information.



October 19, 1978

Received copy of 10/10/78 letter to DOGM from IBC which enclosed specific details of agreements with USFS and Mr. Fullmer. (see below).

DOGM received copy of IBC Letter of Intent (dated 9/1/78) to USFS requesting USFS supervision to begin mining and reclamation on the Fullmer property.

Also received copy of IBC request to USFS to amend the 1977 operating plan and extended through 1978. Reclamation section amended and agreement with Mr. Don Fullmer attached with details of reclamation requirements of IBC by Mr. Fullmer.

October 23, 1978

DOGM receives letter from USFS releasing IBC from their bond. Reclamation (final) to be left up to next company who subleases from Mr. Fullmer.

December 4, 1978

Received copy of letter from USFS to IBC stating they are no longer held responsible for further reclamation and that the \$10,000 bond held by the surety company should be released.

December 27, 1978

DOGM letter to USFS explaining communication problems that have occurred with regard to the Koosharem Mine. Acceptance of current partial reclamation indicated, provided the lessee (Mr. Fullmer) filed a bond to cover remaining reclamation costs for @ seven acres of State Lands.

Letter from DOGM to IBC informing them of need to have Mr. Fullmer file a surety bond of \$4,548 with State Lands to cover remaining reclamation costs on State Lease (seven acres) or IBC will be liable for completing reclamation.

Letter to Don Fullmer detailing specifics as above and given two years to find another interested operator to recommence operations. Needs to post bond.

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January 22, 1979	Received 1/18/79 letter from IBC responding to DOGM letter which notified them of possible responsibility for reclamation if Fullmer defaults. They feel they are not responsible irregardless of Mr. Fullmer's actions.
January 26, 1979	Received 1/23/79 letter from State Lands to Mr. Fullmer notifying him that leases may be canceled if bond is not posted immediately.
January 26, 1979	Received copy of letter from IBC to Don Fullmer which details their position on being required to post a reclamation bond for Mr. Fullmer. They feel they have done what was required of them in good faith.
January 30, 1979	Memo to file, Mr. Don Fullmer came into DOGM on 1/26/79 about letter from State Lands. Wants DOGM staff to make another field visit in the spring before considering filing a bond or canceling leases. He still feels IBC should file required bond. Wants DOGM to write letter to State Lands in support of his request to postpone lease withdrawal.  DOGM letter to State Lands asking for postponement of lease until a site inspection can be performed.  Memorandum to Board of Oil, Gas and Mining with background information asking for an opinion as to who, if anyone, should be responsible for posting the \$4,548 final reclamation bond for the Koosharem Clay Pit.
February 8, 1979	Received 2/7/79 letter from State Lands granting extension of time to perform on-site inspection of Koosharem Mine and postpone lease cancellation. Lease terms holds Mr. Fullmer ultimately responsible for reclamation.
September 6, 1979	Memo to file indicated field inspection performed 8/29/79. Poor revegetation results indicated. Mr. Fullmer to be notified to post required bond with State Lands.



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September 7, 1979	Letter to Mr. Fullmer requiring posting of bond. Board's opinion also holds him responsible. Two years to recommence operations or final reclamation required.
September 14, 1979	Copy of letter to Mr. Fullmer from State Lands requiring posting of bond. Contestment of decision requires immediate resumption of mining operations or possibly lose lease.
October 12, 1979	Memo to file concerning on-site visit with Mr. Fullmer to Koosharem Clay Mine. Mr. Fullmer adamant over Division and Board's decision to post bond. Mr. Fullmer advised to request a formal hearing before the Board as soon as possible. Possibly arrange additional reclamation work and not be required to post bond was discussed.
February 1, 1980	Registered letter to Mr. Fullmer requesting notice of status of communication between himself and IBC on possibility of additional reclamation being done. If no response within 30 days, a Notice to Show Cause will be issued.
February 6, 1980	Received 1/31/80 letter to Mr. Fullmer from State Lands requiring <u>immediate</u> posting of reclamation surety. Failure to comply within 30 days may result in lease cancellation.
February 27, 1980	Received 2/22/80 letter from Don Fullmer describing agreement to perform additional reclamation work via IBC. They would request assistance in detail required.
February 29, 1980	Memo to file. DOGM received call from Mr. Fullmer reiterating content of his 2/22/80 letter.
March 3, 1980	Memo to file. Mr. Harold Cahoon of IBC called DOGM and denied willingness to go back and perform additional reclamation as Mr. Fullmer eluded to.
March 5, 1980	Received 3/4/80 letter from IBC detailing phone conversation of previous day with DOGM. IBC feels their obligations have been performed and Mr. Fullmer is

ultimately responsible, as he was informed when they were instructed to cease reclamation efforts by Mr. Fullmer.

March 17, 1980	Registered letter to Mr. Fullmer from DOGM which details reclamation requirements for the entire pit to be performed by Mr. Fullmer with the Division's guidance.
March 25, 1980	Visit from Mr. Fullmer to Ron Daniels wherein he indicated IBC is going to reopen the Koosharem Mine and arrangements being drawn up presently.
April 1, 1980	DOGM received 3/30/80 letter from Mr. Fullmer reiterating details as indicated to Mr. Daniels on 3/25/80.
April 10, 1980	DOGM received NOI to recommence mining operating at Koosharem Clay Pit filed by IBC.
July 28, 1980	<p>DOGM letter to IBC issuing conditional tentative approval pending that IBC provide some additional information to DOGM pursuant to letter to Robert Steele dated 7/28/80.</p> <p>DOGM letter to Mr. Robert Steele indicating deficient information required prior to DOGM consideration of final approval. Abbreviated version of MRP to be published indicating tentative approval (eight areas outlined in addition to surety).</p>
July 29, 1980	DOGM letter to Newspaper Agency Corporation to proceed and publish abbreviated notice of Koosharem tentative approval.
August 5, 1980	Received signed copy of surety from IBC in amount of \$23,022. <u>No record of a response to eight deficiencies found in file.</u>
August 15, 1980	DOGM received copy of Soil Test Report and Fertilizer Recommendations from USU Extension Agent (Verl Bagley). One sample supplied by IBC on 8/6/80.



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March 26, 1981                      Received copy of 3/25/81 registered letter to IBC from State Lands requesting a surety bond in the amount of \$115,820 be posted within 30 days of receipt of this letter.

\*\*\*[2-year void]\*\*\*

February 14, 1983                      DOGM letter to Mr. Cahoon forwarding a copy of bond estimate forms to detail cost estimates.

April 19, 1983                      Received 4/6/83 letter from Insurance Supervisor representing IBC. Enclosed were surety form, subject rider and original copy of surety changing name of the principal from Entrada Industries, Inc., Interstate Brick Division to Interstate Brick Company.

May 3, 1983                      Received 4/29/83 letter from United Pacific/Reliance Insurance Company, enclosing a name change rider to be filed with the bond on file.

February 10, 1984                      File memo documenting 2/6/84 call from Ron Baldwin of IBC requesting information on permitting status of their Koosharem operations.

He was of the understanding that they were permitted, but had been delinquent in providing the Annual Progress Reports for the operation. He was informed that the Division would research the files and return his call.

February 10, 1984                      File Memo. DOGM returned call to IBC and discussed deficiencies still outstanding with the permitting of the Koosharem Clay Mine operation. Commitment was made to forward a letter to the company via Mr. Baldwin, outlining the remaining deficiencies.

February 15, 1984                      Letter to IBC requesting completion of the enclosed Annual Operations and Progress Report by 3/15/84.

Letter to IBC with a tentative listing of those items deemed necessary as a preliminary step toward resolving the issue of

final approval: 1) Annual Progress Reports for years 1980-83; 2) provide the information outlined by the Division's conditional tentative approval letter dated 7/28/80; and 3) an adjustment to the surety bond may be needed.

March 10, 1984

Received 3/8/84 letter from IBC with annual reports for 1980-83 attached. Also attached is a MR-3 form for the Powell Mine.

October 29, 1984

Received 10/25/84 letter from IBC addressing the deficiencies listed in the 7/28/80 Koosharem application. Soil analyses of topsoil and overburden material have been performed and the results were attached. The mining sequence, grading and revegetation plans are described in more detail. Typical cross section drawings and an updated map are provided. A bond estimate form has been completed and is submitted for Division review.

January 8, 1985

Letter to IBC requesting completion and return of the annual report form enclosed by 3/31/85.

January 17, 1985

Internal Division memo regarding review comments of the amended plan. Deficiencies in the plan warrant a site visit before further assessment.

February 13, 1985

Received 2/8/85 cover letter and annual report for 1984 from IBC.

February 25, 1985

Letter to IBC acknowledging receipt of the listed annual reports.

June 7, 1985

File memo documenting site visit of 5/22/85 by DOGM and USFS personnel. Mining activity on the federal land has been discontinued indefinitely. Ground water does not seem to pose a problem. Topsoil depth is shallow at the site.

July 1, 1985

Letter to IBC regarding review of 10/25/84 submission and knowledge gained at the recent site inspection. The Division has concerns with the following: 1) inadequate mapping of



the permit area or disturbed area; 2) proof that ground water is not affected by the operation; 3) final stabilization and configuration of the pit; and 4) adjustment in the bond estimate to account for third party costs.

February 20, 1986

IBC 1985 annual report received. Deficiencies outlined by the 7/1/85 Division letter will be addressed in 1986 after deficiencies on IBC's other properties with much larger disturbances have been met.

January 5, 1987

Division request for completion of 1986 annual reports sent to IBC.

June 18, 1987

Registered letter to IBC regarding permit deficiencies in four mine operations, including the Koosharem. The Koosharem response is 20 months overdue. Failure to submit the required information in a timely manner will result in an Order to Show Cause before the Board to answer why all unpermitted operations should not be required to cease and undergo immediate reclamation.

November 4, 1987

Letter to IBC summarizing status of four mine permits including the Koosharem. IBC is referred to the 7/1/85 Division letter for deficiencies in the Koosharem permit. A completion date of 6/1/88 is presented as a goal. A schedule of tentative dates of completion of the outstanding information is requested by 11/20/87.

November 23, 1987

Received 11/19/87 letter from IBC listing dates for submission of the outstanding information (Koosharem 5/2/88). IBC is aiming for the 6/1/88 date as a final completion date.

December 4, 1987

Division letter requesting 1987 annual reports by 1/30/88.

May 19, 1988

Annual report for 1987 received.

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June 14, 1988	Letter to IBC regarding permit transfer and bonding requirements for IBC's 8 mining properties. Current bond amounts and bond status are listed.
September 12, 1988	File memo documenting telephone conversation with Questar, IBC's parent company. Questar is trying to sell IBC and has put all bonding activities on hold. A summary of IBC's bonding arrangements is attached (from the 6/14/88 Division letter).
February 3, 1989	Request for 1988 annual report.
May 18, 1989	Received 1988 annual report.
January 5, 1990	Request for 1989 annual report.
April 9, 1990	Letter to Pacific Coast Building Products (PCBP) regarding permit transfer and reclamation bonding of IBC's mines. Details of the transfer procedure and surety requirements are given.
(Date rec'd unknown)	Received 1989 annual report of operations.
May 17, 1990	Received 4/6/90 letter from Fred A. Moreton and Company regarding replacement of the original bond posted by IBC for the Koosharem operation. The company requests acknowledgement of the new bond and release of the old bond effective 3/26/90. <i>ST. PAUL FIRE &amp; MARINE</i> <i>FRED A. MORETON</i>
May 25, 1990	Received 5/22/90 letter from PCBP regarding the phone conversation on that date. PCBP is now the parent company for IBC. IBC will continue to operate under its own name.
September 25, 1990	Received copy of 9/24/90 letter from State Lands to Rollins Burdick Hunter of Utah, Inc., stating that upon notification from DOGM, IBC's bonds (old) will be released.
October 1, 1990	Letter to IBC regarding revised surety bond estimates for Koosharem, Five Mile Pass and Powell Clay mines. The



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Division requests these sureties be posted in the 1995 dollar amounts shown on the attached update sheet. Reclamation Contracts (Form MR-RC) were sent to the operator.

October 2, 1990

Received copy of 10/1/90 letter from State Lands to IBC regarding termination of Clay Lease # ML 27110 held by Don Fullmer, subleased to IBC. IBC is held responsible for reclamation of the lands.

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